

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

THERESA MALONE, individually  
and as a derivative action on behalf of  
BLUE VALLEY FOODS, INC., a  
Nebraska corporation, et al.,

Plaintiffs,

vs.

DOUGLAS KANTNER, et al.,

Defendants.

4:12-CV-3190

MEMORANDUM AND ORDER

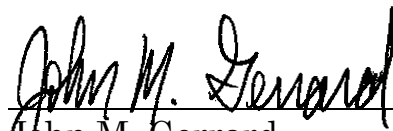
This matter is before the Court on plaintiffs' objection<sup>1</sup> (filing [254](#)) to the Magistrate Judge's order (filing [251](#)) denying plaintiffs' motion (filing [242](#)) for modification of scheduling order; and plaintiffs' objection (filing [294](#)) to the Magistrate Judge's order (filing [281](#)) denying plaintiffs' motion to compel (filing [268](#)). These objections will be overruled.

A district court may reconsider a Magistrate Judge's ruling on nondispositive pretrial matters only where it has been shown that the ruling is clearly erroneous or contrary to law. *See*, [28 U.S.C. § 636\(b\)\(1\)\(A\)](#); *Ferguson v. U.S.*, [484 F.3d 1068 \(8th Cir. 2007\)](#). The Court has fully reviewed the plaintiffs' objections and the defendants' responses, the underlying motions and briefs, and the evidence adduced before the Magistrate Judge. Being fully advised in the premises, the Court agrees with the Magistrate Judge's ruling, and overrules the plaintiffs' objections for the reasons explained by the Magistrate Judge in her memoranda and orders (filings [251](#) and [281](#)).

IT IS ORDERED that the plaintiffs' objections (filing [254](#) and [294](#)) are overruled.

Dated this 2nd day of September, 2015.

BY THE COURT:

  
\_\_\_\_\_  
John M. Gerrard  
United States District Judge

---

<sup>1</sup> Plaintiffs style this objection as an "appeal" of the magistrate's ruling. However, the Court considers it as an objection pursuant to [NECivR 72.2\(a\)](#).